

Notice of Allowability

Application No.

10/795,763

Examiner

Melur Ramakrishnaiah

Applicant(s)

SLIVA, VLADIMIR P.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3-8-2004/8-2-2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 3-8-04/6-9-05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance: The invention relates to a repeatable handback attempt after an inter-mobile switching station (MSC) handoff during an active call. If a preceding handback was not successful, the method and apparatus prepares for another handback attempt, and, if a handback is called for, attempts to handback the call again.

The prior art of record in combination or alone fails to teach or suggest these elements of the independent claims 1, 9, and 16 in combination with other elements. For example independent claim 1 has claim limitations such as a) initiating an inter-MSC handback attempt from the second MSC to the first MSC in response to the MS moving into a geographic area associated with the first MSC, b) setting up resources in the first MSC and a first BS associated with the first MSC for routing the call to the MS, c) sending a command to the MS directing the MS to begin inter-MSC handback attempt by attempting to communicate with the first BS, d) receiving a message from the MS indicating the inter-MSC handback attempt to the first BS failed, e) cleaning up the resources set up in the first MSC and the first BS for routing the call to MS, f) sending a message to a second BS associated with the second MSC indicating that the first MSC and first BS are ready for another inter-MSC handback attempt. Similarly independent claim 9 has claim limitations such as a) initiating a first inter-MSC handback attempt from the second MSC to the first MSC in response to the MS moving into a geographic area associated with the first MSC, b) setting up resources in the first MSC and a first BS associated with the first MSC for routing the call to the MS, c) sending a command

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to the MS directing the MS to begin first inter-MSC handback attempt by attempting to communicate with the first BS, d) receiving a message from the MS indicating that the first inter-MSC handback attempt to the first BS failed, e) sending a message from the second MSC to the first MSC instructing the first MSC to clean up the resource set up in the first MSC and the first BS for routing the call to the MS, f) cleaning up the resources set up in the first MSC for routing the call to the MS and sending a message from the first MSC to the first BS instructing the first BS to clean up the resources set up in the first BS for routing the call to the MS, g) cleaning up resources set up in the first BS for routing the call to the MS and sending a message from the first BS to the first MSC informing the first MSC that the resources set up for routing the call to the first MS are cleaned up, h) sending a message from the first MSC to the second MSC informing the second MSC that resources set up in the first MSC and the first BS for routing the call the MS are cleaned up, i) sending a message from the second MSC to the second BS associated with the second MSC indicating that the first MSC and first BS are ready for another inter-MSC handback attempt, j) initiating second inter-MSC handback attempt by repeating steps a) through c), k) receiving a message from the first BS indicating that second inter-MSC handback attempt to the first BS was completed, l) cleaning the resources used in the second MSC and second BS for routing the call to the MS, and m) tearing down inter-MSC trunk used for routing the call from the first MSC to the second MSC. Similarly independent claim 16 has claim limitations such as means for initiating an inter-MSC handback attempt from the second MSC to the first MSC in response to MS moving into a geographic area associated with the first MSC, means for

setting up resources in the first MSC and a first BS associated with the first MSC for routing the call to the MS, means for sending a command to the MS directing the MS to begin inter-MSC handback attempt by attempting to communicate with the first BS, means for receiving a message from the MS indicating that inter-MSC handback attempt to the first BS failed, means for cleaning up the resources set up in the first MSC and the first BS for routing the call to the MS, and means for sending a message to a second BS associated with the second MSC indicating that the first MSC and first BS are ready for another inter-MSC handback attempt. For the above reasons independent claims 1, 9, 16 and dependent claims 2-8, 10-15, 17-20 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(US2002/000997A1) to Stuempert et al. discloses method for handling the transcoding of connections handed off between mobile switching centers.

--(US2004/0146021A1) to Fors et al. briefly discusses inter-MSC handoff (paragraphs: 0006 – 0007).

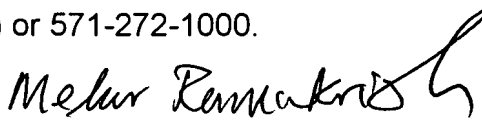
--(US2002/0072371A1) to Hokkanen discloses method and device for performing handover using location information.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Melur Ramakrishnaiah
Primary Examiner
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